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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	Case No.: 2:16-CR-00256-JAD-GWF
Plaintiff,)	
)	STIPULATION TO CONTINUE
vs.)	REVOCATION HEARING
)	
JIMMIE LOUIS POPE,)	
)	(SECOND REQUEST)
Defendant.)	
_____)	

IT IS HEREBY STIPULATED AND AGREED, by and between BRIAN J. SMITH, counsel for JIMMIE LOUIS POPE, Christopher Chiou, Acting United States Attorney, and ERIC C. SCHMALE, Assistant United States Attorney, that the revocation hearing currently scheduled for April 19, 2021, at the hour of 3:00 p.m., be vacated and set to a date and time convenient to this court, but in no event earlier than forty-five (45) days.

This Stipulation is entered into for the following:

1. Mr. Smith was recently appointed to represent Mr. Pope and needs additional time to review discovery and the recommendation of U.S. Probation.
2. Defendant Pope, who is in custody, agrees to the continuance.
3. Brian J. Smith, counsel for Pope is in agreement with this continuance.
4. Counsel for the government is in agreement with this continuance.

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1 5. The additional time requested by this stipulation is made in good faith and not for
2 purpose of delay.

3 6. Additionally, denial of this request or continuance would result in a miscarriage of
4 justice.

5 This is the second stipulation to continue filed herein.

6 DATED this 14th day of April, 2021.

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8 RESPECTFULLY SUBMITTED BY:

9 CHRISTOPHER CHIOU
10 Acting United States Attorney

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12 _____
13 /s/*Eric C. Schmale*
14 ERIC C. SCHMALE, ESQ.
15 Assistant United States Attorney

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17 /s/ *Brian J. Smith*
18 BRIAN J. SMITH, ESQ.
19 Attorney for POPE

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	Case No.: 2:16-CR-00256-JAD-GWF
Plaintiff,)	
)	FINDINGS AND ORDER ON
vs.)	STIPULATION
)	
JIMMIE LOUIS POPE,)	
)	(SECOND REQUEST)
Defendant.)	
_____)	

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

Based upon the submitted Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Mr. Smith was recently appointed to represent Mr. Pope and needs additional time to review discovery and the recommendation of U.S. Probation.
2. Defendant Pope, who is in custody, agrees to the continuance.
3. Brian J. Smith, counsel for Pope is in agreement with this continuance.
4. Counsel for the government is in agreement with this continuance.

CONCLUSIONS OF LAW

1. Denial of this request for continuance would deny the defendant sufficient time to be able to fairly resolve his case, taking into account the exercise of due diligence.
2. The additional time requested by this stipulation is made in good faith and not for purpose of delay.

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1 3. Additionally, denial of this request or continuance would result in a miscarriage of
2 justice.

3 This is the second stipulation to continue filed herein.

4 **ORDER**

5 **IT IS THEREFORE ORDERED** that the revocation hearing currently scheduled for April
6 19, 2021, at the hour of 3:00 p.m., be vacated and continued to June 7, 2021, at 3:00 p.m.

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8 DATED this 14th day of April, 2021.

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12 UNITED STATES DISTRICT COURT JUDGE
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